

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

NYSHIEM SPENCER,
a/k/a "Willy,"
LAFONE ELEY,
a/k/a "Fon Fon,"
STEFVON ELEY,
a/k/a "Balla,"
SHALIK JENKINS,
a/k/a "Sha Money,"
a/k/a "Double O,"
MALIK TUNSTALL,
a/k/a "Leaky,"
PRICE TUNSTALL,
a/k/a "P-Black,"
NASIR VINCENT,
ALIAN GONZALEZ,
a/k/a "Bobby,"
JONELL DANFORTH,
a/k/a "JD,"
ELIJAH BURT,
a/k/a "Dizzy," and
ASHANAE MCLAUGHLIN,

Defendants.

SEALED
INDICTMENT

20 Cr.

20 CRIM 78

COUNT ONE
(Racketeering Conspiracy)
ALL DEFENDANTS

The Grand Jury charges:

1. From at least in or about 2011, up to and including in or about January 2020, NYSHIEM SPENCER, a/k/a "Willy," LAFONE ELEY, a/k/a "Fon Fon," STEFVON ELEY, a/k/a "Balla," SHALIK JENKINS, a/k/a "Sha Money," a/k/a "Double O," MALIK TUNSTALL, a/k/a "Leaky,"

PRICE TUNSTALL, a/k/a "P-Black," NASIR VINCENT, ALLAN GONZALEZ, a/k/a "Bobby," JONELL DANFORTH, a/k/a "JD," ELIJAH BURT, a/k/a "Dizzy," and ASHANAE MCLAUGHLIN, the defendants, and others known and unknown, were members and associates of the Monroe Houses Crew ("Monroe Houses Crew" or the "Enterprise"), a criminal organization whose members and associates engaged in, among other things, narcotics trafficking, bank fraud, robberies, and acts involving murder and assault. The Monroe Houses Crew operated principally in the vicinity of the James Monroe Houses in the Soundview neighborhood of the Bronx, New York.

2. The Monroe Houses Crew, including its leadership, membership, and associates, constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, although not a legal entity. The Monroe Houses Crew constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Monroe Houses Crew. At all times relevant to this Indictment, the Monroe Houses Crew has engaged in, and its activities affected, interstate and foreign commerce.

3. NYSHIEM SPENCER, a/k/a "Willy," LAFONE ELEY, a/k/a "Fon Fon," STEFVON ELEY, a/k/a "Balla," SHALIK JENKINS, a/k/a "Sha Money," a/k/a "Double O," MALIK TUNSTALL, a/k/a "Leaky," PRICE TUNSTALL, a/k/a "P-Black," NASIR VINCENT, ALLAN GONZALEZ, a/k/a

"Bobby," JONELL DANFORTH, a/k/a "JD," ELIJAH BURT, a/k/a "Dizzy," and ASHANE MCLAUGHLIN, the defendants, participated in the operation of the Monroe Houses Crew, and participated in unlawful and other activities in furtherance of the conduct of the Monroe Houses Crew's affairs.

Purposes of the Monroe Houses Crew

4. The purposes of the Monroe Houses Crew included the following:

a. Enriching the members and associates of the Monroe Houses Crew through, among other things, (1) the distribution of narcotics, including cocaine, cocaine base in a form commonly known as "crack," and marijuana; (2) robberies; and (3) bank fraud.

b. Preserving and protecting the power of the Monroe Houses Crew and its members and associates through murder, robberies, assaults, other acts of violence, and threats of violence.

c. Promoting and enhancing the Monroe Houses Crew and the reputation and activities of its members and associates.

Means and Methods of the Monroe Houses Crew

5. Among the means and methods employed by the members and associates in conducting and participating in the conduct of the affairs of the Monroe Houses Crew were the following:

a. Members and associates of the Monroe Houses Crew committed, conspired to commit, attempted and threatened to commit acts of violence, including acts involving murder, robbery, and assault, to protect and expand the Monroe Houses Crew's criminal operations, resolve disputes within the Monroe Houses Crew, and against rival gang members and disfavored members of the Monroe Houses Crew.

b. Members and associates of the Monroe Houses Crew used violence and threats of violence, including robberies and acts involving murder and assault, against others, including in particular rival gang members.

c. Members and associates of the Monroe Houses Crew sold narcotics, including cocaine, cocaine base in a form commonly known as "crack," and marijuana.

d. Members and associates of the Monroe Houses Crew committed bank fraud by depositing checks containing false information into bank accounts controlled by members and associates of the Monroe Houses Crew.

e. Members and associates of the Monroe Houses Crew possessed, stored, and used firearms and ammunition.

The Racketeering Conspiracy

6. From at least in or about 2011, up to and including in or about January 2020, in the Southern District of New York and elsewhere, NYSHIEM SPENCER, a/k/a "Willy," LAFONE ELEY, a/k/a "Fon

Fon," STEFVON ELEY, a/k/a "Balla," SHALIK JENKINS, a/k/a "Sha Money," a/k/a "Double O," MALIK TUNSTALL, a/k/a "Leaky," PRICE TUNSTALL, a/k/a "P-Black," NASIR VINCENT, ALLAN GONZALEZ, a/k/a "Bobby," JONELL DANFORTH, a/k/a "JD," ELIJAH BURT, a/k/a "Dizzy," and ASHANAE MCLAUGHLIN, the defendants, and others known and unknown, being persons employed by and associated with the Monroe Houses Crew described in Paragraphs One through Five of this Indictment, knowingly combined, conspired, confederated, and agreed together and with each other to violate the racketeering laws of the United States, to wit, Section 1962(c) of Title 18, United States Code, that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Monroe Houses Crew, which was engaged in, and the activities of which affected, interstate and foreign commerce, through a pattern of racketeering activity consisting of:

a. Multiple acts involving murder, chargeable under the following provisions of state law: New York Penal Law, Sections 125.25, 125.27 (murder), 105.15 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

b. Multiple acts involving robbery, chargeable under the following provisions of state law: New York Penal Law, Sections 160.00, 160.05, 160.10, 160.15 (robbery), 105.05 and 105.10 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

c. Multiple acts indictable under Title 18, United States Code, Sections 1344 (bank fraud), and 2 (aiding and abetting); and

d. Multiple offenses involving the distribution of controlled substances, including cocaine, cocaine base in a form commonly known as "crack," and marijuana, chargeable under Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute) and 846 (conspiracy), and Title 18, United States Code, Section 2 (aiding and abetting).

7. It was a part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the Monroe Houses Crew.

NOTICE OF SPECIAL SENTENCING FACTORS

8. On or about October 31, 2017, in the Southern District of New York, NYSHIEM SPENCER, a/k/a "Willy," and others known and unknown, knowingly and intentionally murdered Luis Vargas, and aided and abetted the same, in that, (1) with the intent to cause the death of Luis Vargas, SPENCER caused the death of Vargas; and, (2) under circumstances evincing a depraved indifference to human life, SPENCER did recklessly engage in conduct which created a grave risk of death to another person, and thereby caused the death of Vargas, to wit, SPENCER and others planned and helped carry out a shooting that resulted in the death

of Luis Vargas in the vicinity of 1715 Randall Avenue in the Bronx, New York, in violation of New York Penal Law, Sections 125.25 and 20.00.

(Title 18, United States Code, Section 1962(d).)

COUNT TWO
(Violent Crime in Aid of Racketeering - June 25, 2017)
LAFONE ELEY

The Grand Jury further charges:

9. At all times relevant to this Indictment, the Monroe Houses Crew, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, membership, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals which engaged in, and the activities of which affected, interstate and foreign commerce. The Monroe Houses Crew constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Monroe Houses Crew.

10. At all times relevant to this Indictment, the Monroe Houses Crew, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of New York Penal Law, acts

involving robbery, in violation of New York Penal Law, acts indictable under Title 18, United States Code, Sections 1344 (bank fraud) and 2, and offenses involving the distribution of controlled substances, including cocaine, cocaine base in a form commonly known as "crack," and marijuana, chargeable under Title 21, United States Code, Sections 812, 841(a)(1), and 846, and Title 18, United States Code, Section 2.

11. On or about June 25, 2017, in the Southern District of New York and elsewhere, LAFONE ELEY, a/k/a "Fon Fon," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Monroe Houses Crew, and for the purpose of gaining entrance to and maintaining and increasing position in the Monroe Houses Crew, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, attempted to assault an individual with a dangerous weapon, and attempted to murder an individual, and aided and abetted the same, to wit, ELEY and others shot at a rival gang member in the vicinity of the James Monroe Houses in the Bronx, New York, and aided and abetted the same, in violation of New York Penal Law, Sections 120.05, 120.14, 125.25, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
1959(a)(5), (a)(6), and 2.)

COUNT THREE
(Firearm Offense - June 25, 2017)
LAFONE ELEY

The Grand Jury further charges:

12. On or about June 25, 2017, in the Southern District of New York, LAFONE ELEY, a/k/a "Fon Fon," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely the violent crime in aid of racketeering charged in Count Two of this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, which was brandished and discharged, and did aid and abet the same.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii),
(iii), and 2.)

COUNT FOUR
(Violent Crime in Aid of Racketeering - June 30, 2017)
STEFVON ELEY

The Grand Jury further charges:

13. At all times relevant to this Indictment, the Monroe Houses Crew, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, membership, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals which engaged in, and the activities of which affected, interstate and

foreign commerce. The Monroe Houses Crew constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Monroe Houses Crew.

14. At all times relevant to this Indictment, the Monroe Houses Crew, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of New York Penal Law, acts involving robbery, in violation of New York Penal Law, acts indictable under Title 18, United States Code, Sections 1344 (bank fraud) and 2, and offenses involving the distribution of controlled substances, including cocaine, cocaine base in a form commonly known as "crack," and marijuana, chargeable under Title 21, United States Code, Sections 812, 841(a)(1), and 846, and Title 18, United States Code, Section 2.

15. On or about June 30, 2017, in the Southern District of New York and elsewhere, STEFVON ELEY, a/k/a "Balla," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Monroe Houses Crew, and for the purpose of gaining entrance to and maintaining and increasing position in the Monroe Houses Crew, an enterprise engaged in racketeering activity, as described above, knowingly

assaulted an individual with a dangerous weapon and attempted to murder an individual, and aided and abetted the same, to wit, ELEY shot and injured a member of the Monroe Houses Crew who had fallen out of favor with other members of the Monroe Houses Crew, in the vicinity of the James Monroe Houses in the Bronx, New York, in violation of New York Penal Law, Sections 120.05, 125.25, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
1959(a)(5), and 2.)

COUNT FIVE
(Firearm Offense - June 30, 2017)
STEFVON ELEY

The Grand Jury further charges:

16. On or about June 30, 2017, in the Southern District of New York, STEFVON ELEY, a/k/a "Balla," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely the violent crime in aid of racketeering charged in Count Four of this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, which was brandished and discharged, and did aid and abet the same.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii),
(iii), and 2.)

COUNT SIX
(Violent Crime in Aid of Racketeering - May 30, 2018)
STEFVON ELEY

The Grand Jury further charges:

17. At all times relevant to this Indictment, the Monroe Houses Crew, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, membership, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals which engaged in, and the activities of which affected, interstate and foreign commerce. The Monroe Houses Crew constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Monroe Houses Crew.

18. At all times relevant to this Indictment, the Monroe Houses Crew, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of New York Penal Law, acts involving robbery, in violation of New York Penal Law, acts indictable under Title 18, United States Code, Sections 1344 (bank fraud) and 2, and offenses involving the distribution of controlled substances, including cocaine, cocaine base in a form commonly

known as "crack," and marijuana, chargeable under Title 21, United States Code, Sections 812, 841(a)(1), and 846, and Title 18, United States Code, Section 2.

19. On or about May 30, 2018, in the Southern District of New York and elsewhere, STEFVON ELEY, a/k/a "Balla," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Monroe Houses Crew, and for the purpose of gaining entrance to and maintaining and increasing position in the Monroe Houses Crew, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, attempted to assault an individual with a dangerous weapon, and attempted to murder an individual, and aided and abetted the same, to wit, ELEY shot at rival gang members in the vicinity of Rosedale Avenue and Randall Avenue in the Bronx, New York, and aided and abetted the same, in violation of New York Penal Law, Sections 120.05, 120.14, 125.25, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
1959(a)(5), (a)(6), and 2.)

COUNT SEVEN
(Firearm Offense - May 30, 2018)

The Grand Jury further charges:

20. On or about May 30, 2018, in the Southern District of New York, STEFVON ELEY, a/k/a "Balla," the defendant, during

and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely the violent crime in aid of racketeering charged in Count Six of this Indictment, knowingly did use and carry firearms, and in furtherance of such crime, did possess firearms, which were brandished and discharged, and did aid and abet the same, to wit, ELEY shot at rival gang members in the vicinity of Rosedale Avenue and Randall Avenue in the Bronx, New York, and aided and abetted the same.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and 2.)

COUNT EIGHT

**(Violent Crime in Aid of Racketeering - September 14, 2019)
NASIR VINCENT, JONELL DANFORTH, and ELIJAH BURT**

The Grand Jury further charges:

21. At all times relevant to this Indictment, the Monroe Houses Crew, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, membership, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals which engaged in, and the activities of which affected, interstate and foreign commerce. The Monroe Houses Crew constituted an ongoing organization whose members functioned as a continuing unit for a

common purpose of achieving the objectives of the Monroe Houses Crew.

22. At all times relevant to this Indictment, the Monroe Houses Crew, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of New York Penal Law, acts involving robbery, in violation of New York Penal Law, acts indictable under Title 18, United States Code, Sections 1344 (bank fraud) and 2, and offenses involving the distribution of controlled substances, including cocaine, cocaine base in a form commonly known as "crack," and marijuana, chargeable under Title 21, United States Code, Sections 812, 841(a)(1), and 846, and Title 18, United States Code, Section 2.

23. On or about September 14, 2019, in the Southern District of New York and elsewhere, NASIR VINCENT, JONELL DANFORTH, a/k/a "JD," and ELIJAH BURT, a/k/a "Dizzy," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Monroe Houses Crew, and for the purpose of gaining entrance to and maintaining and increasing position in the Monroe Houses Crew, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and aided and abetted the same, to wit,

VINCENT, DANFORTH, BURT, and others slashed a rival gang member in the vicinity of 670 Castle Hill Avenue in the Bronx, New York, in violation of New York Penal Law, Sections 120.05 and 20.00, and aided and abetted the same.

(Title 18, United States Code, Sections 1959(a)(3) and 2.)

COUNT NINE

(Narcotics Conspiracy)

**NYSHIEM SPENCER, SHALIK JENKINS, MALIK TUNSTALL, PRICE TUNSTALL,
NASIR VINCENT, ALLAN GONZALEZ, and JONELL DANFORTH**

The Grand Jury further charges:

24. From at least in or about 2011, up to and including in or about January 2020, in the Southern District of New York and elsewhere, NYSHIEM SPENCER, a/k/a "Willy," SHALIK JENKINS, a/k/a "Sha Money," a/k/a "Double O," MALIK TUNSTALL, a/k/a "Leaky," PRICE TUNSTALL, a/k/a "P-Black," NASIR VINCENT, ALLAN GONZALEZ, a/k/a "Bobby," and JONELL DANFORTH, a/k/a "JD," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

25. It was a part and an object of the conspiracy that NYSHIEM SPENCER, a/k/a "Willy," SHALIK JENKINS, a/k/a "Sha Money," a/k/a "Double O," MALIK TUNSTALL, a/k/a "Leaky," PRICE TUNSTALL, a/k/a "P-Black," NASIR VINCENT, ALLAN GONZALEZ, a/k/a "Bobby," and JONELL DANFORTH, a/k/a "JD," the defendants, and others known and unknown, would and did distribute and possess with intent to

distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

26. The controlled substances that NYSHIEM SPENCER, a/k/a "Willy," SHALIK JENKINS, a/k/a "Sha Money," a/k/a "Double O," MALIK TUNSTALL, a/k/a "Leaky," PRICE TUNSTALL, a/k/a "P-Black," NASIR VINCENT, ALLAN GONZALEZ, a/k/a "Bobby," JONELL DANFORTH, a/k/a "JD," and ELIJAH BURT, a/k/a "Dizzy," the defendants, and others known and unknown, conspired to distribute and possess with intent to distribute were: (i) cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C); (ii) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Section 841(b)(1)(A); and (iii) marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(D).

(Title 21, United States Code, Section 846.)

COUNT TEN
(Bank Fraud Conspiracy)
ASHANAE MCLAUGHLIN

The Grand Jury further charges:

27. From at least in or about 2015, up to and including in or about February 2019, in the Southern District of New York and elsewhere, ASHANAE MCLAUGHLIN, the defendant, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit bank

fraud, in violation of Title 18, United States Code, Section 1344.

28. It was a part and object of the conspiracy that ASHANAE MCLAUGHLIN, the defendant, and others known and unknown, willfully and knowingly did execute and attempt to execute a scheme and artifice to defraud financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institutions, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

(Title 18, United States Code, Section 1349.)

COUNT ELEVEN
(Aggravated Identity Theft)
ASHANAE MCLAUGHLIN

The Grand Jury further charges:

29. From at least in or about 2015 up to and including at least in or about February 2019, in the Southern District of New York and elsewhere, ASHANAE MCLAUGHLIN, the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, MCLAUGHLIN used and aided and abetted the use of bank account numbers and debit account numbers of other individuals in connection with the offense charged

in Count Ten of this Indictment, knowing that these means of identification belonged to other people.

(Title 18, United States Code, Sections 1028A(a)(1),
1028A(b)(2), and 2.)

FORFEITURE ALLEGATIONS

30. As a result of committing the racketeering offense alleged in Count One of this Indictment, NYSHIEM SPENCER, a/k/a "Willy," LAFONE ELEY, a/k/a "Fon Fon," STEFVON ELEY, a/k/a "Balla," SHALIK JENKINS, a/k/a "Sha Money," a/k/a "Double O," MALIK TUNSTALL, a/k/a "Leaky," PRICE TUNSTALL, a/k/a "P-Black," NASIR VINCENT, ALLAN GONZALEZ, a/k/a "Bobby," JONELL DANFORTH, a/k/a "JD," ELIJAH BURT, a/k/a "Dizzy," and ASHANE MCLAUGHLIN, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963:

a. any interest acquired and maintained in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);

b. any interest in, security of, claims against, and property and contractual rights of any kind affording a source of influence over, the enterprise which the defendant has established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962, which interests, securities, claims, and rights are

subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(2); or

c. any property constituting and derived from any proceeds which the defendant obtained, directly and indirectly, from racketeering activity, in violation of Title 18, United States Code, Section 1962, which property is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(3).

31. As a result of committing the offense alleged in Count Nine of this Indictment, NYSHIEM SPENCER, a/k/a "Willy," SHALIK JENKINS, a/k/a "Sha Money," a/k/a "Double O," MALIK TUNSTALL, a/k/a "Leaky," PRICE TUNSTALL, a/k/a "P-Black," NASIR VINCENT, ALLAN GONZALEZ, a/k/a "Bobby," and JONELL DANFORTH, a/k/a "JD," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

32. As a result of committing the offense alleged in Count Ten of this Indictment, ASHANAE MCLAUGHLIN, the defendant, shall forfeit to the United States, pursuant to Title 18, United

States Code, Section 982(a)(2)(A), any and all property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

33. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m), Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 982 and 1963;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)



FOREPERSON



GEOFFREY S. BERMAN
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

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ASHANAE MCLAUGHLIN,
Defendants.

SEALED INDICTMENT

20 Cr. _____

(18 U.S.C. §§ 1959(a), 1962(d), 924(c),
1349, 1028A, and 2; 21 U.S.C. § 846.)

GEOFFREY S. BERMAN

United States Attorney.

Harry Mitchell

Foreperson.

1/28/20

FILED INDICTMENT

WARRANT ISSUED

COT, (M) 1